



# BEXAR COUNTY, TEXAS COMMISSIONERS COURT

## NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, February 9, 2016 at 10:00 a.m. in the Double-Height Courtroom** on the Second Floor of the Bexar County Courthouse, 100 Dolorosa, Suite 2.01, San Antonio, Texas 78205.

**NOTE:** The Commissioners Court may recess at 12:00 p.m. and may reconvene at 1:30 p.m.

**NELSON W. WOLFF  
COUNTY JUDGE**

**SERGIO "CHICO" RODRIGUEZ  
COMMISSIONER, PRECINCT 1**

**KEVIN A. WOLFF  
COMMISSIONER, PRECINCT 3**

**PAUL ELIZONDO  
COMMISSIONER, PRECINCT 2**

**TOMMY CALVERT  
COMMISSIONER, PRECINCT 4**

**GERARD RICKHOFF  
CLERK OF THE COURT**

Questions regarding this agenda should be directed to the Bexar County Commissioners Court Support & Special Projects Administrator at (210) 335-0326. The agenda is available on the County's website (<http://www.bexar.org>). Click on "Government/Commissioners Court."

**BEXAR COUNTY COURTHOUSE ACCESSIBILITY STATEMENT FOR DISABLED PERSONS**

This meeting site is accessible to disabled persons as follows: Entrance to the Bexar County Courthouse is accessible through the north end of the Courthouse located at the intersection of Dolorosa and Main streets. To access the second floor, individuals must use the handicap ramp located at the northwest corner of the County Courthouse and take the elevator to the second floor.

## COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening Prayer: – Pastor Corey Webb (Nelson W. Wolff)
2. Pledge of Allegiance (Nelson W. Wolff)

## COMMISSIONERS COURT REGULAR AGENDA

### 3. CEREMONIAL ITEM(S):

- a. Presentation of a service pin recognizing a Bexar County employee for 25 & 30 years of service:

Name	Years	Date Employed	Office/Department
Mary Welsh	25	1/25/1991	District Attorney
Cynthia Jahn	25	1/2/1991	District Attorney
Cheryl Leonard	30	1/16/1986	Sheriff

(Estimated Presentation Time: 5 minutes)

(Court)

- b. Presentation of a Proclamation on behalf of Commissioners Court recognizing February 7, 2016 through February 14, 2016 to be LULAC week in Bexar County.

(Estimated Presentation Time: 5 Minutes)

(Court/Paul Elizondo)

4. Communications from citizens who signed the register to speak.

## COMMISSIONERS COURT REGULAR AGENDA

5. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
6. Filing for record the following legal and administrative documents and directing the Criminal District Attorney's Office to take action, if necessary:
  - a. Professional Services Agreement for contingent fee legal between Bexar County and Hilliard Munoz Gonzales, LLP; Maloney & Campolo, Law Offices of Carlos Uresti, the Hill Law Firm, and Law Offices of Pat Moloney, approved December 21, 2015.
  - b. U. S. District Court - Notice of a Lawsuit and Request for Waive Service of a Summons to Bexar County Judge Nelson Wolff, Re: Kellie Cloud v. Bexar County, Texas.
  - c. Citation Directed to Bexar County by Serving Judge Nelson Wolff, Re: Leon Wyrick vs. Bexar County Texas.
  - d. Notice of Appeal submitted by Karl Brehm, Staff Attorney for the Combined Law Enforcement Associations of Texas (CLEAT), South Texas Office, Re: Notice of Intention to Invoke Final Binding Arbitration in Disciplinary Appeal.

7. Approval of Commissioners Court minutes for January 26, 2016 and February 2, 2016.

**CONSENT AGENDA ITEMS:**

All items under the Consent Agenda are heard and acted upon collectively unless opposition is presented, in which case the contested item will be considered, discussed, and appropriate action taken separately.

**Item(s) Brought by the Commissioners Court:**

**(Court)**

8. Approval of a request by Commissioner Sergio “Chico” Rodriguez to appoint Howard Dalros to the Emergency Services District No. 5 Board of Commissioners vacated by David Sudolcan effective upon appointment and set to expire on December 31, 2016.
9. Approval of a request from County Judge Nelson W. Wolff to reappoint and appoint the following County Judge appointees to the Small, Minority, and Women Owned Business Enterprise (SMWBE) Program Advisory Committee.

<b>Name</b>	<b>Date of Appointment</b>	<b>Expire</b>	<b>Replacing</b>
Joe Linson	February 9, 2016	February 8, 2018	Reappointment
Frank Dunn	February 9, 2016	February 8, 2018	Stephen Noteboom
Porter Dillard	February 9, 2016	February 8, 2018	Juan F. Solis

**Item(s) Brought by the County Manager’s Office:**

**(David Smith)**

10. Approval of a request from BiblioTech authorizing the County Auditor to pay an invoice in the amount of \$1,097.25 to Barnes & Noble for Antiglare Screen Film Kits.
11. Acceptance of a donation from the Hidalgo Foundation through a contribution from Google Fiber in the amount of twenty-five thousand dollars (\$25,000) for BiblioTech.
12. Approval of a Personal Services Agreement between Bexar County and Catarina Velasquez for digital education provision supporting the federal ConnectHome initiative at five (5) designated San Antonio Housing Authority development in an amount not to exceed \$25,000 to commence February 15, 2016 and terminate August 30 2016.
13. Approval and execution of a Public Service Agreement between Bexar County and Ballet San Antonio for a one year period beginning October 1, 2015 and ending in September 30, 2016, in the amount of \$50,000 from the Community Venue Program Office Fund.
14. Approval of a License Agreement between Bexar County and the San Antonio Rodeo Trail Riders for Temporary Use of Bexar County Property at Farm Road and Southton Road from February 11, 2016 to February 12, 2016 at no cost.

**Items(s) Brought by Sheriff’s Office:**

**(Susan Pamerleau)**

15. Authorization and approval for the Sheriff’s request to pay previous invoices from Fiscal Year 15, 14, and 13 invoice(s) in the total amount of \$21,689.68.
16. Authorization and approval for the Sheriff’s request to pay invoices from Fiscal Year 15 invoice(s) in the total amount of \$375.

17. Authorization and approval for the Sheriff's request to pay bills from Fiscal Year 16 invoice(s) in the amount of \$1,927.41.

**Items(s) Brought by County Courts At Law:**

**(Judge John A. Longoria)**

18. Appointment of Judge Walden Shelton and Judge Susan Skinner and Judge Crystal Chandler (alternates) to the Bexar County Bail Bond Board pursuant to Texas Occupations Code §1704.053.

**Item(s) Brought by County Auditor:**

**(Susan Yeatts)**

19. Authorization and approval for the County Auditor to pay routine bills from Monday, February 8, 2016 through Friday, February 19, 2016.
20. Authorization to distribute payroll, including overtime and uniform and auto allowances to be paid Friday, February 12, 2016.
21. Approval of bills to include claims registers for Wednesday, January 27, 2016 and Friday January 29, 2016; Wednesday, February 3, 2016 and Friday, February 5, 2016.
22. Request approval for \$305,771.83 in Tax Overpayment or Erroneous Payment Refunds due to 24 individual tax accounts for tax payments received per Section 31.11, which have been reviewed by the Auditor's Office and found to be valid.

**Item(s) Brought by Purchasing:**

**(Mary Quinones)**

23. Awarding a requirements contract to Clampitt Paper Company for County wide use in the estimated annual amount of \$171,000; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
24. Awarding a delivery order to Altec Industries to provide for the purchase of one (1) 2016 Ford F-550 Aerial Bucket Truck in the amount of \$131,822 for the Bexar County Heritage Department through a TXMAS contract; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
25. Ratification granting a discretionary exemption to the competitive bidding requirements set forth in the Texas County Purchasing Act to award on a sole source basis to Allen Systems Group, Inc., as requested by the Bexar County Information Technology Department in the amount of \$70,200.23; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
26. Approval to declare twenty five (25) surplus asset forfeiture vehicles for auction in, accordance with Local Government Code 263.152. (A)(1)(C)(6).
27. Authorizing the removal and sale of one (1) surplus firearm weapon to retired Bexar County Sheriff's Office Deputy: Sergeant Yvonne Villarreal Vann in the amount of \$414, in accordance with attached Surplus Firearm Equipment List, as requested by the Bexar County Sheriff's Office; and authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for record.
28. Rejecting all proposals submitted in response to RFP Event 381 for Water Treatment Services as requested by the Facilities Management Department.
29. Approval to declare furniture and office equipment salvage and donate to City of Von Ormy in accordance with Local Government Code 263.152(a)(4)(B) & (C).

30. Awarding the renewal and amendment of agreement with A & D Tests, Inc., to provide for the purchase of drug testing services to the Bexar County Sheriff's Office in the estimated annual amount of \$8,100; and authorizing the Purchasing Agent to execute contract modifications and file the appropriate award documents for the record.

**Item(s) Brought by Community Resources:**

**(Eddie Ortega)**

31. Approval and Execution of the Management Agreement between Bexar County and BEAT AIDS for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$31,680 from the General Fund.
32. Approval and Execution of the Management Agreement between Bexar County and Boysville, Inc. for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$30,000 from the General Fund.
33. Approval and Execution of the Management Agreement between Bexar County and Catholic Charities-Guadalupe Community Center After School Program for a one year period beginning October 1, 2015 and ending on September 30, 2016. The Guadalupe Community Center has been awarded \$25,000 from General Funds.
34. Approval and execution of the Management Agreement between Bexar County and ChildSafe for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$30,000 using funding from the General Fund.
35. Approval and Execution of the Management Agreement between Bexar County and P.E.A.C.E. Initiative for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$50,000 from the General Fund.
36. Approval and Execution of the Management Agreement between Bexar County and Young Men's Christian Association (YMCA) of Greater San Antonio – Davis Scott for a one year period beginning October 1, 2015 and ending on September 30, 2016, in the amount of \$25,006 from the General Fund.

**Item(s) Brought by Public Works:**

**(Renee Green)**

37. Approval of the Professional Services Agreement between Bexar County and Drash Consultants, LLC, (SMWBE) in the amount of \$20,330 for Construction Materials Testing and Observation Services in connection with Flood Control Capital Project, Elm Forrest at Turtle Cross Outfall, MR31, Precinct 1.
38. Approval of City of San Antonio (CoSA) Field Alteration Request Number 1 between Bexar County and S.J. Louis Construction of Texas LTD, requesting a change in scope to the CoSA portion of the contract with an increase in the amount of \$36,789.56, at no cost to Bexar County, in connection with Flood Control Capital Project, Huebner Creek Enhanced Conveyance NWWC Segment II, LC17, Purchase Order No. 192360, Precinct 2.
39. Approval of subdivision plat#150399 within the Extra Territorial Jurisdiction of the City of San Antonio: Alamo Ranch Unit 50C Phase 2, owner: Pulte Homes of Texas, L.P., located west of Rocky Mine and Limestone Way, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
40. Approval of subdivision plat#150229 within the Extra Territorial Jurisdiction of the City of San Antonio: Cypress Commercial Shaenfield, owner: Twister 5490, LLC, located southwest of F.M. 1560 and Galm Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
41. Approval of subdivision plat#CP201511 within the Extra Territorial Jurisdiction of the City of Helotes: FM 471 Area #3 Elementary School, owner: Northside ISD, located northeast of Shaenfield Road and F.M. 1560, not within the Edwards Aquifer Recharge Zone. Precinct number 2.

42. Approval of subdivision plat#150071 within the Extra Territorial Jurisdiction of the City of San Antonio: Nissi Land, owner: Nissi Land Holdings, LTD, located northwest of Canyon Golf Road and Lariat Cove, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
43. Approval of subdivision plat#150201 within the Extra Territorial Jurisdiction of the City of San Antonio: Sawyer Meadows Unit 3, owner: K. B. Home Lone Star, Inc., located south of Sawyer Valley and Forecast Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
44. Approval of subdivision plat#CP201514 within the Extra Territorial Jurisdiction of the City of Helotes: Silver Canyon Unit 1, owner: Pulte Homes of Texas, L.P., located northwest of Mill Park and Galm Road, not within the Edwards Aquifer Recharge Zone. Precinct number 2.
45. Approval of subdivision plat#CP201510 within the Extra Territorial Jurisdiction of the City of Helotes: Silver Canyon Unit 2, owner: Pulte Homes of Texas, L.P., located northwest of Mill Park and Galm Road, not within the Edwards Aquifer Recharge Zone. Precinct number 2.
46. Approval of subdivision plat#150301 within the Extra Territorial Jurisdiction of the City of San Antonio: Valley Ranch Unit 4A Vacate, owner: Continental Homes of Texas, L.P., located east of Ranch View and Rodeo Drive, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
47. Traffic Control Devices To Be Established:

*STOP ZONES TO BE ESTABLISHED:*

**Precinct Number 1**

American Lotus Subdivision Unit 2B Plat #140142

The controlled road shall be Yellow Birch at its intersection with American Lotus. (1 stop)

The controlled road shall be Rocky Rise at its intersection with American Lotus. (1 stop)

**Item(s) Brought by Bexar Heritage and Parks**

**(Betty Bueche)**

48. Authorizing the County Judge to execute Amendment # 2 to the Professional Services Agreement between Bexar County and Alamo Architects in the amount of \$158,234.64, for additional Architectural/Engineering, planning and design services in connection with redevelopment of the historic Hot Wells Ruins located by the San Antonio River which was approved by Commissioners Court on October 6, 2015.

**Item(s) Brought by Resource Management:**

**(Tina Smith-Dean)**

49. Consideration and adoption by the Commissioners Court of Bexar County, Texas of a Resolution expressing intent to finance expenditures to be incurred (2016 Road Projects).

**Item(s) Brought by Judicial Services:**

**(Mike Lozito)**

50. Approval and execution of the Revival, Extension and First Amendment to the Agreement with University Bexar County Hospital d/b/a University Health System to provide on-site healthcare services at the City of San Antonio Frank Wing Municipal Court for a term of October 1, 2015 to September 30, 2016 with an amount not to exceed \$724,770.31.

**Item(s) Brought by Facilities Department:**

**(Dan Curry)**

51. Discussion and appropriate action related to the adoption of the updated and amended Administrative Policy No. 4.1; Use of County Buildings, Grounds, and Facilities.

**INDIVIDUAL AGENDA ITEMS:**

The following Individual Agenda Items may be considered at any time during this meeting:

**Item(s) Brought by the County Manager's Office:**

**(David Smith)**

52. Discussion and appropriate action regarding:

- a. Presentation of research findings by University of Texas at San Antonio College of Education and Human Development on BiblioTech's impact in the local community.
- b. lease agreement between Bexar County and Wheatley Family 1, Ltd., a Texas limited partnership, for a term of 15 years, at an annual rate of \$1.00 per year to commence one (1) business day after notice to Tenant of Landlord's completion of the build out work described in Exhibit B.
- c. Subordination, non-disturbance and attornment agreement between Bexar County and Wheatley Family 1.
- d. Authorizing the County Judge to execute a Professional Services Agreement between Bexar County and Munoz & Company, in the amount of \$43,890 for Architectural and Engineering services in connection with design documents for BiblioTech Wheatley Choice Phase II located at 1203 North Walters Street, San Antonio TX 78202.  
(Estimated Presentation Time: 20 minutes)

(Laura Cole)

**Item(s) Brought by Office of Emergency Management:**

**(Kyle Coleman)**

53. Discussion and presentation regarding Zika Virus prevention and preparation actions.

(Estimated Presentation Time: 10 minutes)

(Dr. Anil Mangla/Scott Lampright/Renee Green)

**Item(s) Brought by Community Resources:**

**(Eddie Ortega)**

54. Update on the status of the transfer of the Collaborative Applicant designation for the Continuum of Care from Bexar County to the South Alamo Regional Alliance for the Homeless (SARAH).

(Estimated Presentation Time: 10 minutes)

(Eddie Ortega)

**Item(s) Brought by Facilities Department:**

**(Dan Curry)**

55. Discussion and appropriate action regarding a request for authority to negotiate a professional architectural and engineering services contract with Durand-Hollis Rupe Architects in relation to the Bexar County Law Enforcement Substations Project as requested by Facilities Management.

(Estimated Presentation Time: 5 minutes)

(Dan Curry)

**Item(s) Brought by Purchasing:**

**(Mary Quinones)**

56. Discussion and appropriate action awarding a contract to Thyssen-Laughlin, LLC to provide Construction Services for the Bulverde Road at Mud Creek Tributary A (SC-27) Flood Control Project, in Precinct 2, in the amount of \$3,211,568.35 as requested by the Bexar County Public Works Department, Flood Control Division; rejecting the apparent low bidder as non-responsive and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.  
(Estimated Presentation Time: 5 minutes) (Mary Quinones)
57. Discussion and appropriate action awarding a contract to J3 Company, LLC to provide Construction Services for the Elm Forrest at Turtle Cross Outfall (MR-31), Flood Control Project, in Precinct 1 in the amount of \$1,717,784.40 for the Bexar County Public Works Department, Flood Control Division; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.  
(Estimated Presentation Time: 5 minutes) (Mary Quinones)
58. Discussion and appropriate acting awarding a delivery order to H. A. Gray & Associates to provide for the purchase for the replacement of Fill Material for the cooling tower at the Bexar County Justice Center in the amount of \$61,112.50 for Facilities Management through a BuyBoard cooperative contract; and authorizing the Purchasing Agent to execute contract and file appropriate award documents for the record.  
(Estimated Presentation Time: 5 minutes) (Mary Quinones)

**Item(s) Brought by Public Works:**

**(Renee Green)**

59. Discussion and appropriate action regarding approval of two Local Project Advance Funding Agreements between Bexar County and the Texas Department of Transportation (TxDOT) to contribute a total of \$52,000,000 for non-tolled highway improvements on Loop 1604, to include the appropriate budgetary amendment. Precinct 1;
- a. \$28,200,000 Local Project Advance Funding Agreement between Bexar County and the Texas Department of Transportation for highway improvements on Loop 1604 from FM 1957 (Potranco Road) to FM 471 (Culebra Road).
  - b. \$23,800,000 Local Project Advance Funding Agreement between Bexar County and the Texas Department of Transportation for highway improvements on Loop 1604 from US 90 to FM 1957 (Potranco Road).
- (Estimated Presentation Time: 10 minutes) (Renee Green)
60. Discussion and appropriate action regarding approval of a Local Project Advance Funding Agreement and a Right-of-Way (ROW) Agreement with Resolution between Bexar County and the Texas Department of Transportation (TxDOT) to contribute a total of \$48,000,000 for non-tolled highway improvements on US 281 from Loop 1604 to the Comal County Line to include the appropriate budgetary amendment. Precinct 3;
- a. \$39,080,033 Local Project Advance Funding Agreement between Bexar County and the Texas Department of Transportation for highway improvements on US 281 from Loop 1604 to Stone Oak Parkway.
  - b. \$8,919,967 Right-of-Way Agreement and Resolution to Contribute Right-of-Way Funds between Bexar County and the Texas Department of Transportation for additional Right-of-Way acquisition and utility adjustments necessary for highway improvements on US 281 from Stone Oak Parkway to the Comal County Line.
- (Estimated Presentation Time: 10 minutes) (Renee Green)



61. Discussing and appropriate action regarding an amendment to extend the following agreements until February 30, 2017 to complete the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP) and develop an implementation strategy in satisfaction of the US Fish and Wildlife Service grant requirements:
- a. Increase the Consulting Services Agreement with Bowman Consulting Group, Ltd. for development of an implementation plan for the SEP-HCP in the amount of \$168,000 for a total amount not to exceed \$1,696,000 (\$1,032,332.07 grant funded and \$172,055.35 City of San Antonio funded).
  - b. Increase the Consulting Services Agreement with Jackson Walker for development of an implementation plan for the SEP-HCP in the amount of \$70,000 for a total amount not to exceed \$400,000 (\$308,358.93 grant funded and \$51,393.16 City of San Antonio funded).
- (Estimated Presentation Time: 10 minutes) (Renee Green)

**Item(s) Brought by the County Clerk's Office:**

**(Gerard Rickhoff)**

62. Drawing 25 names from the 2015 Grand Jury List, nine (9) of which will serve on the 2016 Salary Grievance Committee; additional names as needed to serve as Alternates.
- (Estimated Presentation Time: 5 minutes) (Leonor Ramirez)

**Item(s) Brought by District Attorney:**

**(Nicholas "Nico" LaHood)**

63. Discussion and appropriate action regarding a professional services agreement with Jacob Jordan, PLLC for representation of a sheriff's deputy in the following lawsuit: Ryan Barboza v. Sheriff's Deputy Cynthia Benevidez.
- (Estimated Presentation Time: 5 minutes) (Ed Schweningen)

**EXECUTIVE SESSION (DISCUSSION ONLY: CLOSED TO PUBLIC)**

(Pursuant to Chapter 551, Texas Government Code)

EXECUTIVE SESSION ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE, IN OPEN SESSION.

64. § 551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
  - i. Ryan Barboza v. Sheriff's Deputy Cynthia Benevidez
- b. Legal issues pertaining to the following matters in which the duty of the attorney for Bexar County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act:
  - i. Environmental enforcement authority to counties under Texas Water Code Section 7.351

Posted: Friday, February 5, 2016 at 4:30 p.m.